

Landlord Engagement & Recruitment Deskbook

April 2015

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**Landlord Engagement & Recruitment
Deskbook
April 2015
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Landlord Outreach and Recruitment Resources

HUD Exchange

- **Tips for Working with Landlords**
- **Landlord Benefits Checklist**
- **Landlord Marketing Letter**
- **Landlord Information Template**
- **Landlord-Tenant-Case Manager Communication Agreement**

<https://www.hudexchange.info/index.cfm/resources/housingsearchtool/?housingsearchtoolaction=public:main.landlord-outreach-and-recruitment-resources>

Landlord Outreach and Recruitment Resources

The documents provided below can assist you in reaching out to and cultivating relationships with landlords. Keep in mind that the documents are samples, and that you will need to tailor them to reflect your organization's needs and services.

- [Tips for Working with Landlords](#). This page provides suggestions for recruiting and cultivating relationships with landlords. The suggestions are based on the experiences of organizations around the country that have been providing housing search assistance for hard-to-place individuals. The page offers ideas on how to identify landlords for your program, what types of landlords to target, what types of assurances landlords are looking for, and how to stay in their "good graces."
- [Landlord Benefits Checklist](#). This checklist outlines the benefits landlords receive from working with a housing search program. (The checklist provides examples and would have to be tailored according to the services your program provides.) The checklist could be used as a marketing tool to advertise your program to potential landlords. Housing advocates could also use the information as talking points when calling or meeting with prospective partners.
- [Landlord Marketing Letter](#). This marketing letter can be used separately or with the Landlord Benefits Checklist to advertise your program to landlords in your community.
- [Landlord Information Template](#). Using this form will allow your agency to collect information about landlords in your community as well as the type of housing that is available. It is important to note, however, that many communities either have or are in the process of creating a housing inventory database. If you live in one of these communities, there are probably forms and procedures in place for collecting information and populating the database.
- [Landlord-Tenant-Case Manager Communication Agreement](#). This communication agreement can be used to promote open communication between the landlord, tenant, and case manager/housing advocate and to address problems before they become irreparable.

Select the desired resource above to access it.

Tips for Working with Landlords

This page provides tips on recruiting and cultivating relationships with landlords. These suggestions are based on the experiences of organizations around the country that have been providing housing search assistance for hard-to-place individuals.

- **Establish a landlord advisory group.**

Establish a landlord advisory group in your community. Not only will this be an excellent way to get to know some of the landlords in your community, but it will also be a way for you to introduce them to your program. Use the group to discuss landlords' fears about accepting your clients, and what it would take to get them to change their minds. Ask them for suggestions concerning the best way to recruit landlords. As they become more familiar with your organization, they may also be willing to help promote your program, introduce you to other landlords, and/or serve as references.

- **Attend meetings of your local landlord organization.**

Many communities have a [landlord organization](#) or rental housing association to help keep landlords informed of their rights and responsibilities. Contact your local organization and ask if you can attend a meeting and make a short presentation on your program. Be sure to bring some brochures or other marketing materials to leave behind. You may also want to bring one of your former clients (i.e., one of your "success stories") so that he or she can explain the impact that the program has had on his/her life.

- **Target "medium-sized" landlords.**

Targeting "medium-sized" landlords may offer the greatest chance at success. Landlords with few units (1-4 units) may be more risk adverse than landlords with more units, particularly if they live in the building themselves. Additionally, they will not have as much difficulty addressing turnover and quickly filling vacancies because they only have a few units. In contrast, large property management firms have so many units that they can more easily absorb the cost of vacancies. Large property management firms also typically have strict screening policies, and the individuals that work in the rental office have less autonomy to make decisions on a case-by-base basis. This does not mean, of course, that you should not work with landlords of small buildings or large property management firms, especially if they express an interest in working with your program. However, recruiting landlords and building relationships takes time and energy, and some housing search agencies have found that the biggest return on the investment comes from independent landlords of medium-sized buildings. Contact your

local [Chamber of Commerce](#) or [landlord organization](#) to see if they can help identify landlords according to the number of units owned/managed.

- **Divide and conquer.**

If you are located in a large city and have more than one housing advocate on staff, consider assigning staff to specific neighborhoods or regions. This will allow staff to focus their efforts and get to know specific neighborhoods (and landlords within those neighborhoods). Dividing responsibilities based on geography may also create a greater sense of collaboration and teamwork among advocates, since they must rely on one another for information and leads. Additionally, landlords may prefer having one main contact as opposed to getting repeated calls from different staff within the same organization.

- **Screen your clients appropriately.**

The long-term success of your organization will be dependent on your ability to maintain a good reputation. One problem tenant - or one instance where you do not follow up as promised - will probably discourage a landlord from working with your program again. As a result, it is critical that your agency properly screens clients. Make sure that your clients are, in fact, "housing ready" and have the ability to maintain their housing. Clients with severe barriers (e.g., alcohol or substance abuse problem, severe debt, no employment/income) may need to be referred to transitional housing in preparation for permanent housing.

- **Think like a sales person.**

Your job, as a housing advocate, is to "sell" your program and your clients to landlords. Emphasize the benefits landlords receive from partnering with you. (See the [Landlord Benefits Checklist](#) for ideas.) If landlords are concerned about the risks involved with renting to your clients, remind them that they take a risk with any tenant, but that your program mediates those risks. Explain what services are connected to the participant and that staff will be available if any problems do arise. Finally, appeal to the human/emotional side of landlords. Explain that although your clients have had some problems in their past, they are working hard to improve their circumstances. Landlords may be able to relate to your clients more easily than you realize. Remember, most people know someone - whether it be a relative, friend, or coworker - who has struggled with alcohol or drugs, mental illness, a sudden health crisis, an unexpected layoff, or domestic abuse. These are the same issues with which your clients struggle. Remind landlords that they have the opportunity to improve the quality of life for others.

- **Be honest.**

Be as clear and upfront as possible with landlords regarding whom you are housing, but emphasize that your clients are working hard to change their lives and that your

program supports their growth and development. Never hide the facts - if the landlord finds out, you may irreparably damage your organization's reputation. Additionally, encourage your clients to think about why they had the problems they did and what they are doing differently to prevent the problems from happening again. Some landlords have said that they are more willing to give someone a second chance if the person takes responsibility for his or her actions and can demonstrate that he or she has changed.

- **Be strategic about your placements.**

Clients will have a range of individuals with a spectrum of needs and situations. Consider placing your higher-risk clients with landlords with fewer units. One problem situation can be enough to deter a landlord from working with your program again, and you do not want to damage relationships with your largest customers (i.e., landlords with the most units).

- **Remain neutral.**

Remember that landlords are your customers, too. If a problem arises between your client and his/her landlord, it is important that you remain neutral and work to resolve the problem efficiently and effectively. If landlords view you as a tenant advocate (as opposed to an intermediary), they may be less willing to work with you. On the other hand, it's okay to have expectations of landlords. Your clients have the right to expect services equal to those provided to other residents (e.g., routine maintenance, prompt repairs, courteous service), and it's important to ensure landlords follow through on their responsibilities.

- **Practice patience.**

Relationships take time to build. Continue to nurture relationships regardless of whether a landlord initially expresses interest or not. It's possible that a landlord will "come around" over time, after they get to know your organization and your housing advocates on a personal basis. In addition, word gets around, so developing successful relationships with some landlords may actually help you expand your network and build relationships with other landlords. Consider using participating landlords as references. And remember, housing markets naturally fluctuate, and landlords may change their mind if they have units sitting vacant for very long. Housing advocates from one organization indicated that, once vacancy rates in their community began to rise, they had landlords calling them!

Select each tip and its embedded links above to learn more.

[Back to Landlord Outreach and Recruitment Resources](#)

LANDLORD BENEFITS CHECKLIST

Why do landlords like working with [name of your organization]?

About this Tool: This checklist is a tool to advertise your program to potential landlords. The benefits listed are just examples of services provided by housing search agencies based on interviews with providers around the country. Be sure to modify the list so that it represents your program accurately.

User Tips: As part of your marketing materials, it is important that the piece looks professional and catches people's attention. You may want to customize the checklist by including your organization's name and logo. Similarly, you could use graphics, photos (e.g., a photo of one of your program participants talking to one of your participating landlords), and/or colored paper to give it more of a polished look. This checklist could be mailed out to landlords in your community along with other program materials (e.g., a program brochure, newsletter, or annual report). Or, your housing advocates can use it as a "leave behind" piece when they meet with prospective landlords. Finally, send copies over to your local landlord organization to distribute at their next meeting. Even better, see if you can do a short presentation at their next meeting!

[INSERT 2-3 SENTENCE INTRODUCTION ABOUT YOUR PROGRAM.]

Landlords gain several benefits from participating in our program. Consider the following advantages:

- ✓ Eliminate advertising costs. Working with our program gives you access to a pool of ready-to-rent tenants. Just call us up when you have a vacant unit, and we'll immediately match you up with a client that is looking for housing.
- ✓ "Smart" renters. Our clients have attended training on such topics as personal budgeting, understanding rental agreements, housekeeping and general apartment maintenance, being a good neighbor, etc.
- ✓ Damage/security deposits. Our organization aims to help individuals get back up on their feet. We have found that many low-income clients can afford the monthly rent, but have difficulty saving enough money for their security deposit. As a result, we help clients put together this one-time payment.
- ✓ Clients have access to time-limited subsidies. Again, our organization aims to help individuals get back up on their feet. As a result, eligible clients receive a subsidy to help them cover the first three months of their rent. This allows clients some time to stabilize and build an emergency fund for the future.
- ✓ Guaranteed rent payments. Our clients are pre-screened and have a stable source of income. However, should one of our clients run into a problem, we have a pool of funds set aside to help get clients through those rough spots. We

will also co-sign leases in some situations to virtually eliminate any risk to landlords.

- ✓ Clients are attached to needed services. Some of our clients have special needs, but we work with our clients on an ongoing basis to make sure they have the support they need to succeed. We work with clients to correct past mistakes and prevent future problems, and through our network of partners, clients have access to an array of supportive services.
- ✓ Problem prevention through regular home visits. Our case managers conduct regular home visits to ensure that clients are stabilized in their new environments, that their jobs are going well, and that they are getting the support they need. Regular follow up with clients allows us to identify and address problems early before they become irreparable.
- ✓ Neutral party to mediate problems. Despite the best efforts, problems are sometimes inevitable. However, when problems arise, it can be reassuring to know that there is someone to call. We care as much about our relationship with our landlords as we do our clients. We need everyone to make our program work. The job of a case manager is to be a neutral party, ensuring that everyone is treated fairly and that problems are resolved quickly and impartially. This includes help evicting a client (and covering eviction costs) when warranted.
- ✓ Satisfaction from helping others. Everyone deserves a safe and affordable place to live. Some people make mistakes, but everyone deserves a second chance. By helping house our clients, you are playing an integral role not only in helping individuals take charge of their lives, but also in making your community a better place to live.

Interested but still unsure? Why don't you give one of our participating landlords a call:

- [NAME, NUMBER]
- [NAME, NUMBER]

[Note: Remember to ask for permission before listing someone's name. And, make sure they will give your program a good reference!]

And, of course, feel free to call us at anytime. We'd love to hear from you!

- [PROVIDE YOUR CONTACT INFORMATION]

Landlord Marketing Letter

About this tool: Use this marketing letter separate or in combination with the “landlord benefits checklist” to advertise your program to landlords in your community. Customize it based on your own program and print it out on your agency letterhead. Also, remember to include a telephone number so that landlords know how to get in touch with your agency.

[Name]
[Address]
[City, State, Zip Code]
[Date]

Dear [Name of Landlord]:

We would like to take this opportunity to introduce you to our organization and one of our most exciting programs. [Name of organization/program] is a unique program designed to place homeless individuals into permanent housing. The individuals in our program are working hard to turn their lives around and are in need of a second chance. We hope you will join us in giving them that chance.

We know that it can feel risky accepting tenants who have had problems maintaining housing stability in the past. However, our clients are committed to succeeding, and we are committed to helping them succeed. Yet, we cannot do it alone – landlords literally hold the key to our clients' futures. That's why we offer landlords a number of special incentives, including:

- Security deposits. Our organization aims to help individuals get back up on their feet. We have found that many low-income clients can afford the monthly rent, but have difficulty saving enough money for their security deposit. As a result, we help clients put together this one-time payment.
- Guaranteed rent payments. Our clients are pre-screened and have a stable source of income. However, should one of our clients run into a problem, we have a pool of funds set aside to help get clients through those rough spots. We will also co-sign leases in some situations to virtually eliminate any risk to landlords.
- Problem prevention through regular home visits. Our case managers conduct regular home visits to ensure that clients are stabilized in their new environments, that their jobs are going well, and that they are getting the support they need. Regular follow up with clients allows us to identify and address potential problems early on – before they become irreparable.

[Name of your agency/program] has found permanent housing for many formerly homeless individuals since its establishment in [date]. Our program's success is based upon regular communication with our clients and program partners and a commitment to following through on our promises. If you would like to speak with other landlords we have worked with, we would be happy to provide you with some references.

Please keep us in mind when you have future openings at your properties. We would love the opportunity to work with you.

Sincerely,

[Your Name]

[Your Number]

Landlord Information Template

About this Tool: Whether responding to an ad in the paper or contacting prospective landlords through cold calls, this tool will help you compile more complete information about the landlords in your community as well as the type of housing that is available. (You can then input the information into an excel spreadsheet for easy viewing and sharing.) Having an organized process for collecting information will also prevent landlords from getting multiple calls from your organization for the same information. Finally, if your community ever hopes to build a housing inventory database, you will already have collected some of the data needed to populate it.

User Tips: As an alternative to having your staff fill out this form when talking to landlords, you could send it to prospective landlords along with the *landlord marketing letter* and *landlord benefits checklist* (also included in this toolkit) and ask that they complete it and return it to you. If you have the funds, you could include a self-addressed, stamped envelope to encourage landlords to respond.

Also, this form includes an area to record vacancy information. Because vacancy information is not static, your organization will have to develop a protocol for periodically updating the information. For example, some landlords may be willing to call your organization when they have vacancies. Otherwise, you may want to assign a staff person to call each landlord in your database on a monthly basis to get vacancy updates.

1. Landlord Contact Information:

(Name)

(Address)

(City, State, Zip Code)

(Day Telephone Number)

(Evening Telephone Number)

(Cell Phone Number)

(Fax Number)

(Email Address)

2. Who should contact the landlord (case manager or client)? _____

3. Apartment Location: _____ (Address, Apartment #)

(City, State, Zip Code)

4. Building Type: 1-4 units_____ 5-20 units_____ 21-40 units_____ 40+ units_____

5. Type of Housing: Elderly____ Family____ Disabled____ Other____

6. Vacany(ies) as of ____/____/____

Bedroom Size	# of Units Available	Monthly Rent	Date(s) Available

7. Is/are the unit(s) lead-paint free? Yes____ No____ Don't Know ____

8. Upfront Costs: Application Fee \$____ First Month \$____ Last Month \$____
Security Deposit \$____ Realtor Fee \$____

9. Are utilities included? Y____ N____ Partial (Please list) _____

10. Public Transportation: Subway____ Bus____ Commuter Rail____ Car Only____

11. Parking: Street____ Off-Street____ Private____ Private/Pay____ None____

12. Amenities: Air Conditioning____ Handicap Accessible____ Refrigerator____
Dishwasher____ Storage Space____ Pets Allowed____
Eat-In Kitchen____ Laundry Room/Hookup____ Yard____

13. Does the owner have other properties in the area? Y____ N____

If yes, where? _____

Comments: _____

LANDLORD-TENANT-CASE MANAGER COMMUNICATION AGREEMENT

About this tool: This communication agreement should be filled out and signed by the tenant and then provided to the landlord to promote open communication between the landlord, tenant, and case manager. The form can easily be modified, but includes those issues most frequently cited by landlords as “red flags.” The important thing is to identify and address problems before they become irreparable. Note that before this agreement is used, you may want to have your client sign an information release authorization form.

Dear [NAME OF LANDLORD]:

My goal is to pay my rent on time, follow the provisions of my lease, keep my apartment in good condition, and get along with my neighbors. I am working with a program that will help me do this, but I need your help. I am asking you to inform both my case manager and me if any of the following occur. You can fill out the form and send it to the addresses below or contact us by telephone. We appreciate your cooperation.

- _____ Landlord has not received full rent by the 3rd day of the month.
- _____ Landlord has received a complaint that there is too much noise from the tenant's apartment.
- _____ Landlord has significant concerns about the condition of the tenant's unit.
(Examples: Landlord has seen damage or received complaints about bad smells that could be related to garbage.)
- _____ Landlord thinks someone is living in the tenant's unit who is not named on the lease.
- _____ Landlord thinks someone in the tenant's unit may be doing something illegal.
- _____ The behavior of someone living in or visiting the tenant's unit is causing other tenants to complain.
- _____ Landlord has seen something that is a violation of the lease. Describe : _____

- _____ Other: _____

Please contact me in writing at the following address: _____
or call me at this number: _____

Please also contact my case manager (name): _____
at (agency/address) _____
or call at this number (phone/cell/pager): _____

Thank you for your cooperation!

(Signature of Tenant)

(Date)

(Signature of Caseworker)

(Date)

Landlord Outreach Strategies

**Joel Kunkler
Program Manager SSVF Program
PathStone in Erie and Niagara Counties, NY**

LANDLORD OUTREACH STRATEGIES

Supportive Services for Veterans Families

Overview

- ☐ Introduction
- ☐ Understanding Barriers
- ☐ Understanding Landlords
- ☐ Marketing the Program
- ☐ Developing Selling Points
- ☐ Marketing Materials
- ☐ Outreach
- ☐ Networking
- ☐ Community Events
- ☐ Overcoming Barriers
- ☐ Keeping Landlords Happy
- ☐ Lessons Learned
- ☐ Resources

Introduction



- Joel Kunkler
- Program Manager SSVF Program for PathStone in Erie and Niagara Counties
- Director of Landlord Tenant and Homeless Prevention Services at the Housing Council
- jkunkler@pathstone.org
- (585) 546-3700 ext. 3013

Introduction

Just Like a Landlord who is...

You are going to wear some new
hats.

- ☐ A Housing Provider
- ☐ Carpenter
- ☐ Financial Manager
- ☐ Marriage Counselor
- ☐ Mediator
- ☐ Accountant
- ☐ Marketer
- ☐ Real Estate Agent
- ☐ Pitch Man
- ☐ Hawker
- ☐ Broker
- ☐ Resource

Understanding Barriers

Problems do not go away. They must be worked through or else they remain, forever a barrier to growth and development.

M. Scott Peck

Understanding Barriers

Individual Barriers to Housing

- | | |
|---|---|
| <input type="checkbox"/> Credit History | <input type="checkbox"/> Credit Check Fees |
| <input type="checkbox"/> Income Source/Employment | <input type="checkbox"/> Non-English Speaking |
| <input type="checkbox"/> History Household Size/Composition | <input type="checkbox"/> Criminal History |
| <input type="checkbox"/> No Rental History | <input type="checkbox"/> Poor Landlord References |
| <input type="checkbox"/> Lack of Move-In Funds | <input type="checkbox"/> Discrimination |
| <input type="checkbox"/> Eviction History | |

Understanding Landlords

This organization calls its members "small property owners," not "landlords." But we know that tenants and the general public, whether we like it or not, call us "the landlord." And we know that "landlord" is a term that carries no small amount of baggage.

By Howard Husock Director of Case Studies, Kennedy School of Government, Harvard University

Understanding Landlords

- ☐ Rental Housing is a Business
- ☐ They are Looking to Reduce Risk
- ☐ Maximize Return on Investment
- ☐ Small Landlords are the Largest Supplier of Affordable Housing in the Country

Understanding Landlords

What do Owners' Want

- ☐ Rent paid on time
- ☐ Someone to call
- ☐ Property damage
- ☐ Nuisance

Marketing the Program

The aim of marketing is to know and understand the customer so well the product sells itself.

Peter Drucker

Marketing the Program

In many ways, you are "selling a product" in the open market. You have to convince property owners that your "product" will meet their needs and address their concerns.

Marketing the Program

Marketing the program is one of the best tools to use in developing a pool of landlords and management companies who are willing to rent directly to your clients.

Developing Selling Points

Sales are contingent upon the attitude of the salesperson - not the attitude of the prospect.

W. Clement Stone

Developing Selling Points

- ☐ Does the program pre-screen tenants?
- ☐ Do families receive tenant education?
- ☐ What type of case management support does the program offer? By whom and how is it offered?
- ☐ What are your agency's history of successes and accomplishments?
- ☐ What support will be offered to partnering landlords and management companies?

Developing Selling Points

- ☐ What financial support exists for families who run into trouble?
- ☐ What sort of productive activities will families get involved in, or are already doing? (jobs, school, etc.)
- ☐ Will the program co-sign leases?
- ☐ How can the program help landlords to reduce costs, including fees to advertise vacancies?

Marketing Materials

A picture is worth a thousand words.

Napoleon Bonaparte

Marketing Materials

- ☐ Agency brochures
- ☐ Program brochures
- ☐ One-page informational handouts or fact sheets
- ☐ Letters explaining the program or agency
- ☐ Business cards

Marketing Materials

- ☐ PowerPoint presentations
- ☐ Community newsletters
- ☐ Client success stories
- ☐ Media coverage of agency or program
- ☐ Testimonial letters from other landlords who have partnered and benefitted from the experience

Outreach

The best place to find a helping hand is at the end of your own arm.

Swedish Proverb

Outreach

- ☐ Mom and pop landlords
- ☐ Large private landlords
- ☐ Property management companies
- ☐ Nonprofit housing developers
- ☐ Cold Calls

Outreach

- ☐ Websites
- ☐ Twitter
- ☐ Email Marketing
- ☐ Newspapers
- ☐ Yellow Pages
- ☐ Local Housing Authorities

Outreach

- ☐ "For rent" signs
- ☐ Buildings under construction
- ☐ Real estate offices or agents
- ☐ Brokers
- ☐ Non-Program Staff

Networking

You won't know till you ask...

Got any vacancies?

me

Networking

- ☐ Apartment Owner or Rental Housing Associations
- ☐ Other Non-profits
- ☐ Organizational appeals/newsletters
- ☐ Board Members

Networking

- ☐ Friends and relatives
- ☐ Fellow members of social, civic, and religious organizations or clubs
- ☐ Your real estate agent
- ☐ Local chamber of commerce
- ☐ Local businesses and your Vendors

Networking

- ☐ Landlords that may already have participated in your programs
- ☐ Ask for Referrals from existing Landlords
- ☐ Veterans of Foreign Wars
- ☐ The American Legion
- ☐ Vietnam Veterans of America
- ☐ ...and then everyone else

Community Events

If I Knew You Were Comin' I'd've
Baked a Cake

Al Hoffman

Community Events

- ☐ Breakfast or Lunch Program orientations for landlords
 - ☐ Provide information and program overview
 - ☐ Testimonials from participating property owners
- ☐ Workshops
 - ☐ Deliver workshops on Leases, Applications, Screening
 - ☐ Partner with Legal Partners
 - ☐ Partner with Housing Counseling Organizations

Overcoming Barriers

A barrier is of ideas, not of things.

Mark Caine

Overcoming Barriers

Be prepared to hear plenty of reasons why landlords don't want to rent to your clients...

- Poor Credit
- Past Evictions
- Violence
- Noise
- Low Income

Tell them why your clients are better prepared to meet their needs...

- "Smart" renters
- Reduce advertising costs
- Case Management
- Tenant Education
- Damage/security deposits

Overcoming Barriers

- Emphasize the benefits landlords receive from partnering with you.
- If landlords are concerned about the risks involved with renting to your clients, remind them that they take a risk with any tenant, but that your program mediates those risks.
- Remind landlords that they have the opportunity to improve the quality of life for others.

Overcoming Barriers

- Be prepared to "sell" your clients and your program
- Know what to say and how to say it
- Do not be afraid of rejection
- Be persistent
- Make things happen, don't wait for them to happen
- Keep a positive attitude
- Build relationships
- Expect success

Keeping Landlords Happy

The foolish man seeks happiness in the distance; the wise grows it under his feet.

James Openheim

Keeping Landlords Happy

- ☐ Follow-up with property owner or agent
- ☐ Call regularly, get feedback on rental situation
- ☐ Don't just check in when things are going downhill
- ☐ Keep your commitments
- ☐ Respond within the timeframes promised
- ☐ Intervene/mediate when appropriate
- ☐ Operate with integrity and honesty

Keeping Landlords Happy

- ☐ Deal directly and honestly with property owners to address problems or concerns
- ☐ Respond in a timely manner to landlord requests for assistance
- ☐ Ensure committed home visits and case management occurs (follow through on those "selling points")
- ☐ Keep open lines of communication, and create program tools and protocols to facilitate dialogue

Keeping Landlords Happy

- ☐ Consider hosting annual meetings with participating landlords to get feedback
- ☐ Send evaluation forms at the end of 6 months or 12 months in housing
- ☐ Send e-mail or snail mail newsletters to landlords keeping them up to date on program happenings, results, staffing, etc.

Keeping Landlords Happy

Go the EXTRA MILE

- ☐ Host owner appreciation events
- ☐ Present plaques or certificates
- ☐ Send thank you cards from staff and clients
- ☐ Recognize "landlord of the year" in agency newsletters and other ways
- ☐ Share resources when available (Good 360)

Lessons Learned

The successful person will profit from their mistakes and try again in a different way.

Dale Carnegie

Lessons Learned

- ☐ DO NOT make promises you cannot keep
- ☐ Understand the needs and wants of landlords
- ☐ Teamwork between housing specialists and case managers is key to success
- ☐ Be cautious about clustering multiple families (clients) in a single building
- ☐ Non-monetary incentives work with landlords
- ☐ Offer choices, be a partner in Fair Housing Choice

Resources

Needing help doesn't make you weak, in fact quite the opposite. It makes you strong, smart, and realistic.

Unknown

Resources

- Rapid Re-Housing for Homeless Populations: Program and Community Strategies for Recruiting Private-Market Landlords & Overcoming Housing Barriers
google.com
- Small Property Owners Association
spoa.com
- LANDLORD BENEFITS CHECKLIST: Why work with Homeless Prevention and Rapid Re-Housing Programs?
□ google.com
- OneCPD Resource Exchange
onecpd.info/resources/housingsearchtool
- The National Alliance to End Homelessness
endhomelessness.org
- SSVF University
Va.gov/homeless/ssvf/index.asp
- 100,000 Homes
100khomes.org

Resources

- NYC Affordable Housing Resource Center
http://www.nyc.gov/html/housinginfo/html/apartments/apartment_hunting_tips.shtml
- Section 8 Units
http://www.nyc.gov/html/nycha/html/section8/avail_apts.shtml
- NY Housing Search
<http://www.nyhousingsearch.gov>
- WORKING WITH LANDLORDS IN HOUSING FIRST/
RAPID REHOUSING

HUD Office of Multifamily

Notice H 2013-21

Implementation and Approval of Owner-Adopted Admission Preferences for Individuals or Families Experiencing Homelessness

<http://portal.hud.gov/hudportal/documents/huddoc?id=13-21hsgn.pdf>



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-8000

ASSISTANT SECRETARY FOR HOUSING-
FEDERAL HOUSING COMMISSIONER

Special Attention of:

Multifamily Hub Directors
Multifamily Program Center Directors
Rural Housing Services (RHS) Directors
Supervisory Housing Project Managers
Housing Project Managers
Contract Administrators
Multifamily Owners and Management Agents

NOTICE: H 2013-21

Issued: July 25, 2013

Expires: This notice remains in effect
until amended, revoked, or
superseded.

Subject: Implementation and approval of owner-adopted admissions preferences for individuals or families experiencing homelessness

- I. Purpose:** This Notice provides guidance to HUD field offices, contract administrators, and property owners on the circumstances under which owners of assisted properties may adopt admissions preferences. This notice clarifies 24 CFR §5.655(c)(1) - (c)(5) to allow for owners to adopt, with HUD approval, admissions preferences not specified there, in particular, preferences to house homeless families.
- II. Background:** The Office of Multifamily Housing Programs (Multifamily Housing) had strictly interpreted 24 CFR §5.655(c)(1) - (c)(5) *Section 8 project-based assistance programs: Owner preferences in selection for a project or unit*, to mean that owners were limited in adopting preferences in the selection of residents to those preferences specifically cited in the regulation. That interpretation did not allow for an owner to adopt a preference for homeless families, as owners could not adopt preferences outside of 5.655(c)(1) – (c)(5). However, in consultation with the Office of General Counsel, Multifamily Housing has revisited this issue and has broadened its interpretation to allow that silence within the provision does not preclude owners from adopting preferences outside of those cited.
- III. Applicability:** All Multifamily rental assistance programs.
- IV. Definition of Homeless:** The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) revised the definition of homeless for HUD's

homeless assistance programs, and on December 5, 2011, HUD published its final rule implementing this definition. HUD will use this definition to track the number of homeless persons served in its programs starting in September 2013, after changes to the HUD form 50059 have been completed.

The definition of homeless under the HEARTH Act, however, does not prohibit an owner from establishing an alternative definition of homeless for the purpose of a waiting list preference based on local need. Owners may elect to adopt a more narrow definition specific to the homeless needs in their community or a broader version that would serve more of the population. Because of the specificity of this definition, owners must go to the HUD field office for approval. Owners are reminded that any preference must comply with civil rights requirements.

- V. **Implementing a Homeless Preference:** Multifamily Housing owners can significantly increase program access for individuals and families experiencing homelessness by establishing an owner-adopted preference in admissions policies. Owners must consider the following when adopting an admissions preference.
- a. **Eligibility and Requirements.** Preferences affect only the order in which applicants are selected from the waiting list. They do not make anyone eligible who was not otherwise eligible, and they do not change an owner's right to adopt and enforce tenant screening criteria. In addition, owners must inform all applicants about available preferences and give all applicants an opportunity to show that they qualify for available preferences including all applicants currently on a waiting list.
 - b. **Tenant Selection Plan and Affirmative Fair Housing Marketing Plan.** All owner adopted preferences must be included in the Tenant Selection Plan (TSP) and, if required, the Affirmative Fair Housing Marketing Plan for the associated property including any referral policy in the preference, if applicable. In addition, for preferences other than those specifically cited at 24 CFR §5.655(c), owner-adopted preferences must be approved by the local HUD office to confirm conformance with applicable regulatory and statutory requirements. Owners may remove their owner-adopted preference at any time without HUD approval. Any changes in preferences, however, must be updated in the owner's TSP.
 - c. **Using a Homelessness Definition.** Owners may create a preference for homeless families using the HUD definition of homelessness or a definition that better suits the property in question. The definition cannot exclude any protected classes, e.g., the definition cannot exclude families with children.
 - d. **Limiting preferences to people referred by a partnering organization.** Owners may create a preference or limited preference specifically for individuals or families who are referred by a partnering homeless service organization or consortium of organizations (for example, an organization that refers people

transitioning out of a shelter or temporary housing program). When partnering with a referring agency, an owner may elect to place the preference on the entire property or accept a referral for a defined percentage of units. No units may be set-aside or held off-line, but owners can fill vacancies by alternating selections from the existing project waiting lists with referrals from their partnering organization of eligible applicants who meet the preference criteria. For instance, in filling the next four vacancies, an owner may select three applicants for occupancy from the property waiting list followed by one applicant referred by the partnering organization. To allow for maximum flexibility, HUD is not prescribing the ratio of admissions. **Note:** Although a partnering organization may refer applicants, owners must screen those applicants in the required manner as they would for any other applicants on the waiting list. In addition, the source of referrals cannot be limited to an agency, organization, or consortia that exclusively provide services restricted to people with specific disabilities or diagnoses. Referrals also cannot be limited to an agency, organization, or consortia that deny services to members of any Federally protected class under fair housing laws, *i.e.*, race, color, religion, national origin, sex, disability, or familial status.

- e. **Use of Alternating Selection.** Even if not partnering with a referral agency, owners may fill vacancies in the property by alternating their selections of non-homeless applicants on the waiting list with applicants who meet the criteria for the preference. This method of selection of residents must be clearly defined in the Tenant Selection Plan.
- f. **Identifying preference-qualified applicants currently on the project's waiting list.** When adopting a new preference, owners must notify all applicants on the current waiting list to determine if any are eligible under the preference (24 CFR §5.655(c)). The owner must specify on any public notice of a waiting list opening that current waiting list applicants may qualify for the preference. The notice must also include any other information new applicants and current applicants on the waiting list will need to know about how to successfully apply and establish their preference status, including any partnering agencies with whom the owner may be working to receive referrals or determine preference eligibility.
- g. **Verifying preference eligibility.** If an owner adopts a preference or limited preference for individuals or families experiencing homelessness, the owner may require the individual or family to provide documentation to prove that they qualify for the preference, or may rely on a partnering homeless service organization to verify that the individual or family qualifies for the preference. When an owner establishes a partnership for referrals from a homeless service organization, he/she may allow the partnering organization to verify the individual's or family's preference qualification before the individual or family is referred to the owner.

- h. **Property Designations.** If the owner has a property designation of elderly or disabled on all or some of HUD assisted units, this designation remains in effect despite the adoption of the new preference. For example, if the property is 100 percent elderly, then the homeless preference would not supersede this designation. Any qualified applicants benefiting from the homeless preference would need to meet both criteria, i.e. homeless and elderly. If the property has 10 units properly designated for individuals with disabilities, then an owner could not fill any of the 10 units with persons who met the criteria for the homeless preference unless they also met the eligibility requirements of the units.
- i. **Ensuring Fair Housing compliance.** When adopting a preference or limited preference for people experiencing homelessness, an owner must ensure that the preference would not have the purpose or effect of excluding other eligible families from the program on the basis of race, color, national origin, religion, sex, disability, or familial status, or would create or perpetuate segregation. An owner must comply with all fair housing and civil rights law in the adoption of a homeless preference and the opening of the waiting list to homeless families that qualify for the preference. For example, an owner adopting a homeless preference cannot deny access to families with children. The owner must also ensure that programs or activities are administered in the most integrated setting appropriate to the needs of qualified individuals with disabilities. The owner should analyze demographic data of the waiting list population and of the population in the community and compare this to the demographic characteristics of those who would qualify for the preference to ensure that the preference does not create a disparate impact on a particular protected class from accessing the program. In addition, the owner must fully document his/her marketing practices in the Affirmative Fair Housing Marketing Plan if the owner chooses to market the preference. This HUD-approved plan can include referrals from shelters and other organizations that serve the homeless, but should be designed specifically for the community in which the property is located.

For more guidance on the Affirmative Fair Housing Marketing Plan, please reference the HUD Handbook 4350.3 REV-1, Chapter 4.

VI. Submission and Approval of Preference Requests: Owners must receive HUD approval in order to adopt an admissions preference not specified under 24 CFR §5.655(c)(1) - (c)(5). Owners must submit a written request to their local HUD Field Office specifying the type of preference with a full description of the preference and how it will be implemented. Criteria set forth in this Notice including a description of the notification process for those on the waiting list, tenant selection process and any changes to the AFHMP must also be included. HUD will approve an owner-adopted preference if it does not result in discrimination, violate civil rights or equal opportunity requirements, or conflict with statutory, regulatory, or program requirements. Subsequent occupancy reviews will ensure that the property has updated its Tenant Selection Plan and, if required, the Affirmative Fair Housing Marketing

Plan. Please see Chapter 4 of HUD Handbook 4350.3 for more details about the submission and approval of preference requests.

VII. Admissions Policies Regarding Criminal Activity and Substance Use/Abuse: Under federal laws and HUD regulations, there are certain policies for admission to a housing program which are mandatory for all Multifamily property owners, and others which the owners have authority/discretion to adopt, but are not required.

Owners must establish standards that prohibit admission of:

1. Any household containing a member(s) who was evicted in the last three years from federally assisted housing for drug-related criminal activity. The owner may, but is not required to, consider two exceptions to this provision:
 - a. The evicted household member has successfully completed an approved, supervised drug rehabilitation program; or
 - b. The circumstances leading to the eviction no longer exist (e.g., the household member no longer resides with the applicant household)
2. A household in which any member is currently engaged in illegal use of drugs or for which the owner has reasonable cause to believe that a member's illegal use or pattern of illegal use of a drug may interfere with the health, safety, and right to peaceful enjoyment of the property by other residents;
3. Any household member who is subject to a state sex offender lifetime registration requirement; and
4. Any household member if there is reasonable cause to believe that member's behavior from abuse or pattern of abuse of alcohol may interfere with the health, safety, and rights to peaceful enjoyment by other residents. The screening standards must be based on behavior, not the condition of alcoholism or alcohol abuse.

Owners may also establish additional screening criteria, as outlined in HUD Handbook 4350.3. However, owners should bear in mind the length of their waiting lists and the cost to applicants for screening when considering additional criteria. In addition, some of these criteria can be a barrier for vulnerable populations, including people who are homeless, to accessing the programs. For example, an owner may have strict policies related to criminal backgrounds, and previous rental housing history which can have the effect of screening out the most vulnerable people experiencing homelessness who are more likely to have past convictions, past evictions, or previous debts, due to a variety of reasons, including mental illness and substance use disorders.

An owner wishing to serve more people experiencing homelessness should consider reviewing his/her discretionary admission policies to determine if any changes can be made to remove barriers. It is important to note that all discretionary admission (and program termination) policies must be applied to all applicants uniformly. In other words, an owner cannot have a certain set of admission/termination policies that apply specifically to a certain

population, such as the homeless population, which are different from the admission/termination policies for all other applicants.

VIII. Consideration of Circumstances Regarding Admissions and Terminations/Evictions:

An owner cannot establish separate admissions/termination policies for a certain population, such as the homeless population, which are different from the admissions/termination policies than for all other applicants.

In the event of receipt of unfavorable information about an applicant, consideration may be given to the time, nature, and extent of the applicant's conduct (including the seriousness of the offense). Consideration may also be given to factors which might indicate a reasonable probability of favorable future conduct, including: evidence of rehabilitation, and applicant's willingness to participate in social services.

IX. Service Provider as a Resource in Continued Occupancy: Service providers are important resources in ensuring that persons and families experiencing homelessness admitted to the property (and those in the property but at risk of homelessness) are provided the services necessary to remain stably housed and compliant with program requirements.

HUD field offices, contract administrators, and owners should establish working relationships or consider service agreements with the service providers to ensure that all parties stay committed to the family through their participation in the program.

X. Information Contact: Inquiries about this Notice should be directed to Yvette Viviani at Yvette.M.Viviani@hud.gov or Jonathan Kinsey at David.J.Kinsey@hud.gov.

Carol J. Galante
Assistant Secretary for Housing -
Federal Housing Commissioner

Information Collection

The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control number 2502-0204. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to a collection of information unless the collection displays a currently valid OMB control number.

HUD Office of Public & Indian Housing

Notice 2013-15 (HA)

Guidance on Housing Individuals and Families Experiencing Homelessness through the Public Housing and Housing Choice Voucher Program

<http://portal.hud.gov/hudportal/documents/huddoc?id=pih2013-15.pdf>



**U.S. Department of Housing and Urban Development
Office of Public and Indian Housing**

Special Attention:

NOTICE PIH 2013-15 (HA)

Public Housing Agencies administering the
Housing Choice Voucher and/or Public
Housing Programs; Public Housing Field Office
Directors

Issued: June 10, 2013

Expires: Effective until amended
superseded, or rescinded

Cross References:

PIH Notice 2012-34 (HA)

Subject: Guidance on housing individuals and families experiencing homelessness through the Public Housing and Housing Choice Voucher programs¹

1. **Applicability:** This Notice applies to public housing agencies (PHAs) that administer the Public Housing and/or Housing Choice Voucher (HCV) programs.
2. **Purpose:** The purpose of this Notice is to provide strategies that PHAs can pursue to expand housing opportunities for individuals and families experiencing homelessness through the Public Housing and HCV programs. This Notice clarifies the definition of homelessness for the purpose of IMS/PIC reporting, and provides guidance on HUD policies and program regulations related to the following topics: waiting list management and preferences; admissions policies regarding criminal activity, substance use/abuse, and rental history; program termination and eviction policies; and project-basing vouchers for Permanent Supportive Housing (PSH).
3. **Background:** On June 22, 2010, the United States Interagency Council on Homelessness (USICH) presented the nation's first comprehensive strategy to prevent and end homelessness titled, *Opening Doors: Federal Strategic Plan to Prevent and End Homelessness* (Opening Doors), to the Office of the President and Congress. Opening Doors is focused on four key goals:
 - a. Finish the job of ending chronic homelessness by 2015;
 - b. Prevent and end homelessness among Veterans by 2015;
 - c. Prevent and end homelessness for families, youth, and children by 2020; and
 - d. Set a path to ending all types of homelessness.

¹ Throughout this Notice, when referring to people experiencing homelessness, the term 'individuals and families' is used to indicate both individual persons who are experiencing homelessness, as well as homeless families, which may include children. When referring to HCV or Public Housing applicants or participants, the following terms are used intentionally based on their definition and the relevant statute, regulation or rule being referenced: 1. Family – A person or group of persons with or without children approved by a PHA to reside in a unit with assistance under the HCV or Public Housing program. The number of family members is used to calculate subsidies and payments. 2. Household – includes everyone who lives in the unit, including foster children/adults and live-in aides. Household members are used to determine unit size.

The Office of Public and Indian Housing (PIH) is committed to working with our PHA partners to expand opportunities for individuals and families to access quality affordable rental homes, thereby achieving HUD's goal of utilizing housing as a platform for improving quality of life. PIH, in cooperation with the Office of Community Planning and Development (CPD) and USICH hosted two national convenings of PHAs and Continuums of Care (CoCs) titled, *Opening Doors: Expanding PHA Opportunities to House People Experiencing Homelessness*, one in Los Angeles on February 8, 2012, and the other in Washington, DC on May 24, 2012. These convenings allowed participants to: share best practices; identify barriers that PHAs encounter in meeting the needs of this population; and allow PHAs and Continuums of Care to provide feedback and ask questions of HUD.

This Notice builds on the lessons learned from the two convenings and seeks to provide guidance on issues related to serving individuals and families experiencing homelessness.

4. **Reporting Homelessness in IMS/PIC:** The HUD Form 50058 module in the IMS/PIC data system allows HUD to obtain information about participants in the Public Housing and HCV programs, including the homeless status of persons entering the program. The accuracy and reliability of this information is critical to tracking the collective progress in ending homelessness.

Based on a review of PIC reporting on 4C (homeless at admission), many PHAs are not reporting in this field accurately, or are reporting "no" for all applicants, whether homeless or not. For all new admissions, PHAs **must** determine whether an individual or family was homeless at admissions. This information **must** be reported at question 4C on HUD Form 50058. PHAs may need to verify that their IMS/PIC software is compliant with this reporting requirement. The following section provides guidance on how to determine whether an applicant is homeless at the time of admission, including questions that a PHA may ask an applicant in order to determine their homelessness status. For additional information on the Form 50058, please see the Form HUD 50058 Instruction Booklet at <http://portal.hud.gov/hudportal/documents/huddoc?id=50058i.pdf>

5. **Definition of Homeless for the Purpose of Completing Question 4C on Form 50058:** The definition of a homeless family currently provided in the Appendix of the Form HUD 50058 Instruction Booklet reflects the original McKinney-Vento Homeless Assistance Act definition. The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) revised the definition of homeless for HUD's homeless assistance programs, and on December 5, 2011, HUD published its final rule implementing this definition. This rule applies specifically to the Emergency Solutions Grants program, the Shelter Plus Care program, the Supportive Housing program and was incorporated into the Continuum of Care (CoC) Program interim rule, which HUD published on July 31, 2012; however, PIH is adopting only a portion of this new definition to apply to question 4C of the Form 50058 as well. While the HUD regulations maintain four categories for defining people who are homeless, the PIH definition for IMS-PIC reporting (Form 50058) is narrowed to the following two categories:

Category 1: An individual or family who ***lacks a fixed, regular, and adequate nighttime residence***, meaning:

- a. An individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground; ***or***

- b. An individual or family living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, or local government programs for low-income individuals); **or**
- c. An individual who is exiting an institution where he or she resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation immediately before entering that institution;

Category 4: Any individual or family who:

- i. Is ***fleeing, or is attempting to flee, domestic violence, dating violence, sexual assault, stalking***, or other dangerous or life-threatening conditions that relate to violence against the individual or a family member, including a child, that has either taken place within the individual's or family's primary nighttime residence or has made the individual or family afraid to return to their primary nighttime residence; ***and***
- ii. Has no other residence; ***and***
- iii. Lacks the resources or support networks, e.g., family, friends, and faith-based or other social networks, to obtain other permanent housing

This definition shall be effective as of this Notice, and the Form HUD 50058 Instruction Booklet will be updated accordingly. **Note:** A PHA is permitted to adopt an alternative or narrower definition of homeless for the purpose of a waiting list preference based on local need. PHA's that do this, however, will still be required to use the definition cited above for purposes of reporting homeless of new admissions on the Form HUD 50058.

In order for PHAs to accurately report a new admission's homelessness status on line 4c of the Form HUD 50058, the PHA may find the following list of questions helpful in determining the appropriate response. If the answer to any of the following questions is yes, the PHA would mark "Y" for yes in field 4C of the Form HUD 50058 (homeless at admission).

1. Are you currently living in a car, on the street, or another place not meant for human habitation?
2. Are you currently living in an emergency shelter, transitional housing, Safe Haven², or a hotel/motel paid for by a charitable organization or by federal, state or local government programs for low-income individuals?
3. Are you exiting an institution, including a hospital, substance abuse or mental health treatment facility, or jail/prison, where you stayed for 90 days or less? If so, were you living in an emergency shelter or place not meant for human habitation immediately before entering that institution?
4. Are you fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking, or other dangerous or life threatening conditions for you or a family member, including a child, that has either taken place within your family's primary nighttime residence or has made the you afraid to return to your primary nighttime residence? If yes, do you currently have nowhere else to live and also lack the resources or support networks,

² A Safe Haven is a form of supportive housing that serves hard-to-reach homeless persons with severe mental illness who are on the street and have been unable or unwilling to participate in housing or supportive services

including family, friends, faith-based, or other social networks, to obtain other permanent housing?

Example 1: A family that was evicted from the home they owned because they were no longer able to make the mortgage payments and is living in their car **would** qualify as homeless.

Example 2: An individual that had previously lived in an emergency shelter and was admitted to the hospital for a 5-day stay **would** qualify as homeless.

Example 3: An individual being released from prison after a 3-year incarceration **would not** qualify as homeless based on the length of incarceration.

HUD does **not** require PHAs to collect documentation or third-party verification of any kind in order to verify an applicant's homelessness status for purposes of reporting in 4C of the 50058. Verbal self-verification by the applicant that any of the above criteria are true is sufficient. However, in order to verify homelessness status for a preference, PHAs must follow the verification requirements they establish in their written policies.

6. **Waiting List Management:** PHAs' waiting lists can be a barrier to individuals and families experiencing homelessness having access to the Public Housing and HCV programs. When waiting lists are long, an individual or family who lacks stable housing and reliable contact information may not be able to be reached when they come to the top of the waiting list or when waiting lists are purged, especially if it has been months or years after the application was submitted. Also, when PHAs reopen waiting lists for short periods of time, people experiencing homelessness can be left out of the application process due to a lack of information about the opportunity to apply.

PHAs can take a variety of actions to allow homeless populations better access to their programs, including establishing a strong outreach strategy through service providers, strengthening their process for contacting applicants on their waiting list (e.g., contacting applicants via email or phone), establishing flexible intake and briefing schedules (e.g., provide a window of time for appointments), and establishing nondiscriminatory preferences in their admissions policies for persons experiencing homelessness, or a subset of such persons (e.g., chronically homeless, homeless veterans, homeless identified as most vulnerable through community-based assessment strategies, etc.). All actions taken must be in compliance with all applicable fair housing and civil rights laws. See 24 CFR 5.105(a).

7. **Homeless Admissions Preference:** A PHA's greatest tool for increasing program access for individuals and families experiencing homelessness is establishing a preference in their admissions policies. This section describes the criteria that may be considered when setting preferences based on local housing needs and priorities, as well as the process for establishing preferences.

a) Assessing local housing needs. A PHA's system of local preferences must be based on local housing needs and priorities by using generally accepted data sources and information obtained through the PHA Plan public comment process³. HUD encourages PHAs to work collaboratively with health care providers, social service providers,

³ 24 CFR 960.206(a)(1) for Public Housing and 24 CFR 982.207 (a)(2) for the HCV program.

homeless services providers, Continuums of Care (CoCs), and local offices of government and community organizations to establish a system of preferences based on local housing needs collectively identified by the community. HUD recommends that a PHA's local housing needs assessment specifically include people experiencing homelessness. For example, PHAs may look to their Community Plan to End Homelessness, Consolidated Plans, HIV/AIDS Housing Plan (if available) and/or data from their jurisdiction's Continuum of Care (CoC) Homeless Management Information Systems (HMIS) and Point in Time (PIT) Counts to identify whether and to what extent there is need for a homeless preference.

b) Applying and limiting preferences. PHAs may apply preferences for admission to the HCV, Project-based Voucher (PBV), and/or Public Housing programs, or to a particular public housing or project-based voucher development (or set number of units within a development). PHAs may limit the number of applicants that may qualify for a particular preference. PHAs must incorporate such a preference into their HCV program Administrative Plan and/or their Public Housing program Admission and Continued Occupancy Policy (ACOP). If adopting the preference constitutes a significant amendment to the PHA Plan as defined by the PHA, the PHA must comply with the amendment provisions of 24 CFR 903.21, including soliciting public comment and consulting with the resident advisory board.

c) Opening waiting lists and public notice. All recipients of public housing or HCV assistance must be selected from the PHA's waiting list(s). If a PHA does not have enough applicants on its waiting list who qualify for a preference, the PHA may open its waiting list strictly to people to whom the preference applies. When opening a waiting list, PHAs must give public notice. See Section 12 for more information on opening separate waiting lists for project-based voucher units.

Any public notice announcing a waiting list opening and application procedure should be simple, direct, and clear but with sufficient detail to inform applicants of the processes through which they can apply, any limitations on who may apply, and any other information the applicant may need to successfully submit the application. The notification process, as well as the preferences themselves, must also comply with HUD fair housing requirements, such as adopting suitable means to assure that the notice reaches eligible individuals with disabilities and those with limited-English proficiency. HCV program regulations require the public notice to appear in a local newspaper of general circulation, minority media, and other suitable means (24 CFR 982.206). These practices are strongly encouraged in the Public Housing program.

When trying to reach people experiencing homelessness to apply to the program(s), PHAs could consider reaching out to shelters, homeless service providers, agencies that work closely with people experiencing homelessness and homeless consumer advocacy groups to assist with advertising the opening of the waiting list, to seek referrals, and/or to provide assistance with application processes. The CoC Program interim rule requires Continuums of Care to establish and operate a centralized or coordinated assessment system that provides an initial, comprehensive assessment of the needs of individuals and families for housing and services with the intention of matching the homeless individual or family with the most appropriate resources. PHAs are strongly encouraged to participate in the coordinated assessment system that covers the PHA's geographic location in order to establish a means for referrals once the coordinated assessment has been established.

Once an adequate number of persons experiencing homelessness meeting the preference have been placed on the waiting list, the PHA may choose to close the waiting list. A PHA may leave the waiting list open only for the population qualified for the preference (i.e., continue to accept applications only from applicants that qualify for the preference), while keeping it closed for all other applicants. HUD recommends the PHAs maintain up-to-date information on the PHA's website as to whether the waiting list is open or closed, who may currently apply for assistance, and specific information regarding the application process.

d) Identifying preference-qualified applicants currently on the waiting list. When adopting a new preference in the Public Housing program, PHAs must offer the opportunity for current applicants on the waiting list who qualify for the preference to receive the benefit of the preference and move up on the waiting list accordingly. This practice is strongly encouraged in the HCV program. The PHA should specify on any public notice of a waiting list opening that current waiting list applicants will also be given the benefit of the preference. The notice should also include any other information new applicants and current applicants on the waiting list will need to know about how to successfully apply and establish their preference status, including any partnering agencies with whom the PHA may be working to receive referrals or determine preference eligibility. PHAs and partnering referral agencies may consider sharing waiting list data in order to cross-check for eligible applicants, if allowed under applicable program requirements and privacy laws.

e) Limiting preferences to people referred by a partnering organization. PHAs may create a preference or limited preference specifically for people who are referred by a partnering homeless service organization or consortia of organizations (for example, an organization that refers people transitioning out of a shelter, transitional housing program, or rapid re-housing program). The PHA may not limit the source of referrals to an agency, organization, or consortia that denies its services to members of any Federally protected class under fair housing laws, i.e., race, color, religion, national origin, sex, disability, or familial status. See section 12 of this Notice for information on preferences in the PBV program.

A PHA may also have a preference for individuals and families transitioning, or "moving up," from Permanent Supportive Housing (PSH) units. These are persons that were previously homeless prior to entry into the PSH program but who no longer need that level of supportive services. While these persons would not be considered homeless for reporting purposes on the Form HUD 50058, creating such a "move up" preference will contribute significantly to the community's overall efforts to end homelessness by freeing up units for currently homeless families and individuals with disabilities who need housing combined with services.

Example of a homeless limited preference process: A PHA limits the number of families that qualify for a homeless preference to 100 families. The PHA administrative plan/ACOP clearly states the criteria to qualify for the preference, including any partnering service agencies from whom the PHA will be taking referrals, and whether the preference is restricted to those referrals. The PHA opens the waiting list and provides public notice, but restricts who can apply to those that meet the preference criteria. Once the PHA is serving 100 families under the preference, and one family leaves the program, the next family on the waiting list who meets the preference criteria will be served. If there is no one on the waiting list that meets the preference criteria, the PHA would issue the voucher to the next family on the waiting list. The PHA reaches out to local partners for referrals, and the waiting list is kept open (or re-opened for applicants that qualify for the preference) in order to accept

these new referrals. If the PHA has not limited the preference to only people referred by certain organizations or agencies, then the PHA also accepts applications from anyone who self-identifies as qualified to meet the preference criteria.

f) Verifying preference eligibility. If a PHA adopts a preference or limited preference for people experiencing homelessness, or for a particular subset of this population, the PHA may require the individual or family to provide documentation to prove that they qualify for the preference, or may rely on a partnering homeless service organization (for example, the Continuum of Care designated collaborative applicant) to verify that the individual or family qualifies for the preference. When a PHA establishes a partnership for referrals from a homeless service organization, they may allow the partnering organization to verify the individual's or family's preference qualification, before the individual or family is referred to the PHA.

g) Ensuring Fair Housing compliance. When adopting a preference or limited preference for people experiencing homelessness, and opening the waiting list only for families and individuals that qualify for the preference, a PHA must ensure that the preference would not have the purpose or effect of excluding other eligible families from the program on the basis of race, color, national origin, religion, sex, disability, or familial status, or would have the effect of creating, increasing, or perpetuating segregation. A PHA must ensure that the adoption of a homeless preference and the opening of the waiting list, including site-based waiting lists, only to homeless families and individuals that qualify for the preference is done in a manner that is consistent with all fair housing and civil rights laws and affirmatively furthers fair housing.

h) Residency preference. PHAs that have a residency preference as allowed under the regulations at 24 CFR 960.206(b) and 24 CFR 982.207(b) may include in their definition of the term, "residence," shelters and other dwelling places where homeless people may be living or sleeping. PHAs may also consider the circumstances leading to a family's current dwelling place when defining residency for homeless applicants. For example, in some communities, there may be a lack of suitable shelters in the community covered by the PHA's residency preference forcing the family or individual to seek shelter in another community. If an applicant family or individual is residing in a shelter located outside of the area covered by the PHA's residency preference, the PHA may establish policies considering the applicant's previous residency and circumstances. PHAs with a residency preference may need to change their definition of residency in their Administrative Plan and ACOP for the purpose of allowing such flexibility.

For additional guidance related to waiting list administration, please see Notice PIH 2012-34 *Waiting List Administration*.

8. Admissions Policies Regarding Criminal Activity, Substance Use/Abuse, and Rental

History: Under federal laws and HUD regulations, there are certain policies for admission to a PHA's HCV or Public Housing program which are mandatory for all PHAs, and other policies which the PHAs have authority/discretion to adopt, but are not required.

The following is a complete list of statutorily mandated prohibitions of admissions regarding criminal activity and substance use/abuse to the HCV and PH programs:

1. ***Lifetime sex offender registrant.*** A PHA **must** prohibit admission for any household that includes a person subject to a lifetime registration requirement under a State sex offender registration program.⁴
2. ***Methamphetamine production in federally assisted housing.*** A PHA **must** prohibit admission if any household member has ever been convicted of drug-related criminal activity for manufacture or production of methamphetamine on the premises of federally assisted housing.⁵
3. ***Within 3 years of federally assisted housing eviction for drug-related crime.*** A PHA **must** prohibit admission for three years from date of eviction if a household member has been evicted from federally assisted housing for drug-related criminal activity (the PHA **may** admit if the PHA determines the member successfully completed a supervised drug rehabilitation program approved by the PHA, or the circumstances leading to the eviction no longer exist).⁶
4. ***Currently engaged in illegal drug use or threatening activity.*** A PHA **must** prohibit admission of households with a member who:
 - a. The PHA determines is currently engaging in illegal use of a drug,⁷ or
 - b. The PHA determines that it has reasonable cause to believe that a household member's illegal drug use, pattern of illegal drug use, abuse of alcohol, or pattern of abuse of alcohol may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents.⁸

Where the HCV or public housing applicants' conduct or activities falls outside the scope of the statutorily mandated prohibitions, PHAs have wide discretion whether to admit or deny admissions to these individuals. Unfortunately, PHAs' discretionary admissions policies can sometimes be a barrier for vulnerable populations, including people who are homeless, to accessing the programs. For example, a PHA may have strict policies related to criminal backgrounds and previous rental housing history which can have the effect of screening out the most vulnerable people experiencing homelessness who are more likely to have past convictions, past evictions, or previous debts, due to a variety of reasons, including mental illness and substance use disorders.

In June 2011, Secretary Donovan wrote a letter to PHAs⁹ across the country to encourage more flexible, reasonable admissions policies for people re-entering communities following incarceration. Incarceration and homelessness are highly interrelated as the difficulties in reintegrating into the community increase the risk of homelessness for released prisoners, and homelessness in turn increases the risk for subsequent re-incarceration. PHAs wishing to serve more people experiencing homelessness may consider amending their discretionary admissions policies regarding criminal activity and substance use/abuse to be more inclusive of vulnerable

⁴ 42 U.S.C § 13663 (a); 24 CFR 982.553(a)(2)(i) for HCV, and 960.204(a)(4) for public housing

⁵ 42 U.S.C § 1437n (f)(1); 24 CFR 982.553(a)(1)(ii)(C) for HCV, and 960.204(a)(3) for public housing

⁶ 42 U.S.C § 13661 (a); 24 CFR 982.553(a)(1)(i) for HCV, and 960.204(a)(1) for public housing

⁷ 42 U.S.C § 13661 (b)(1); 24 CFR 982.553(a)(1)(ii)(A) for HCV, and 960.204(a)(2)(i) for public housing

⁸ 42 U.S.C § 13661 (b)(1); 24 CFR 982.553(a)(1)(ii)(B) and 24 CFR 982.553(a)(3) for HCV; 960.204(a)(2)(ii) and 960.204(b) for public housing

⁹ <http://portal.hud.gov/hudportal/documents/huddoc?id=sohudreentryltr.pdf>

populations who may have criminal backgrounds or histories of incarceration. PHAs are encouraged to establish strong partnerships with homeless service providers to ensure that those vulnerable individuals and families admitted to the program are provided the services necessary to remain stably housed and compliant with the family obligations and other requirements of the program.

A PHA wishing to serve more people experiencing homelessness may consider reviewing their discretionary admission policies to determine if any changes can be made to remove barriers. It is important to note that all discretionary admission (and program termination) policies must be applied to all applicants broadly. In other words, a PHA cannot have a certain set of admission/termination policies that apply specifically to a certain population, such as the homeless population, which are different than the admission/termination policies for all other applicants, unless there is express legal authority to do so (e.g. HUD-VASH program). Therefore, if a PHA is not comfortable or willing to revise its general discretionary policies, the PHA is strongly encouraged to consider relevant circumstances as described in Section 10 of this Notice.

9. **Program Termination and Eviction Policies:** Federal law and HUD regulations provide only limited instances where a PHA must terminate assistance or evict a family¹⁰. Outside of those limited instances, PHAs or owners may terminate program assistance or evict a family only for serious or repeated violations of material terms of the lease. Many of the policies for termination of assistance and eviction are in fact at the discretion of the PHA or owner. A PHA or owner's discretionary policies for termination of assistance and eviction for lease violations is an important consideration in the effort to prevent homelessness.

HUD encourages PHAs to review their termination and eviction policies in light of their discretionary authority. HUD recommends that PHAs work with homeless service providers to establish discretionary termination and eviction policies best suited to the community and to develop partnerships that can implement effective eviction prevention strategies.

Additionally, PHAs should be aware of protections for victims of domestic violence, dating violence, or stalking to ensure that they do not face eviction because of the lease violations of their abusers. 24 CFR 5.2005 (c) states that an incident of actual or threatened domestic violence, dating violence or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of the domestic violence, dating violence, or stalking, or as good cause to terminate the tenancy or, occupancy rights of, or assistance to the victim.

As mentioned in Section 7 of this Notice, PHAs are encouraged to establish strong partnerships with healthcare, supportive services, and homeless service providers to make services available to vulnerable individuals and families admitted to the program. PHAs are also strongly encouraged to consider relevant circumstances when considering the termination or eviction of any family, as described in Section 10 of this Notice.

10. **Consideration of Circumstances Regarding Admissions and Terminations/Evictions:** As discussed in Section 7 of this notice, a PHA cannot establish separate admissions/termination

¹⁰ 24 CFR 982.553(a)(2)(i), 24 CFR 982.553(b)(1)(ii) and 24 CFR.553(e) for HCV, and 24 CFR 960.204(a)(3) and 960.204(a)(4) for Public Housing

policies for a certain population, such as the homeless population, which are different from the admissions/termination policies for all other applicants, unless there is express legal authority to do so (e.g. HUD-VASH program). However, the public housing regulation at 24 C.F.R. 960.203(a) (Standards for PHA tenant selection criteria) and the HCV program regulation at 24 C.F.R. 982.552(c)(2) (Consideration of circumstances) imply that **individual consideration of factors** should be a basis for a PHA's decision to deny or terminate assistance. For example, in the HCV program, in determining whether to deny admission or terminate assistance because of an action of a family member that would normally screen the family out or cause the family to lose their assistance, under the PHA's policy, the following **may** be considered:

- All relevant circumstances such as the seriousness of the case, the extent of participation or culpability of individual family members, mitigating circumstances related to the disability of a family member, and the effects of denial or termination of assistance on other family members who were not involved in the action.¹¹
- The PHA **may** impose, as a condition of admittance or continued assistance for other family members, a requirement that family members who participated in or were culpable for the action will not reside in the unit. The PHA **may** permit the other members of a participant family to receive or continue receiving assistance.¹²

In public housing, in the event of receipt of unfavorable information about an applicant, consideration **must** be given to the time, nature, and extent of the applicant's conduct (including the seriousness of the offense). Consideration **may** be given to factors which might indicate a reasonable probability of favorable future conduct, including: evidence of rehabilitation, and applicant's willingness to participate in social services.¹³

For both the HCV and Public Housing program, in determining whether to deny admission or terminate assistance for illegal use of drugs or alcohol abuse by a household member who is no longer engaged in such behavior, the PHA **may** consider whether such household member is participating in or has successfully completed a supervised drug or alcohol rehabilitation program or has otherwise been rehabilitated successfully.¹⁴

For both the HCV and Public Housing program, if the family includes a person with disabilities, the PHA decision regarding denial of admission or termination of assistance is subject to reasonable accommodation requirements in accordance with Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act, Title II of the Americans with Disabilities Act, and their implementing regulations at 24 CFR part 8, 24 CFR part 100, and 28 CFR part 35, respectively.

11. Service Provider as a Resource in Continued Occupancy: Service providers are important resources in ensuring housing stability, including compliance with program and family obligations and other program requirements, for homeless individuals and families newly admitted to the program.

¹¹ 24 CFR 982.552(c)(2)(i) for HCV

¹² 24 CFR 982.552(c)(2)(ii) for HCV, and 960.203(c)(3)(i) for public housing

¹³ 24 CFR 960.203(d)

¹⁴ 42 U.S.C § 13661 (b)(2); 24 CFR 982.552(c)(2)(iii)

PHAs may establish working relationships or consider service agreements with the service providers to provide greater access to services for tenants. The PHA may consider making available an empty office space or community space for the service provider to offer voluntary services to the residents.

12. **Project-Based Vouchers:** Under the HCV program, PHAs are allowed to project-base up to 20 percent of their budget authority. Project-based vouchers (PBVs) are a useful tool in the development of affordable housing, because the guaranteed rental income provided by the vouchers helps to finance project operating costs and secure capital investments. PBVs are also important in the development of projects that pair services for people who are formerly homeless with housing assistance. PHAs looking to increase the supply of affordable housing for people experiencing homelessness or other low-income families may consider project-basing. PHAs interested in working with a homeless service provider to develop housing for people experiencing homelessness may also consider project-basing for this purpose.

PHAs must select applicants for PBV units from the waiting list in accordance with the policies in the PHA administrative plan. The PHA may use a separate waiting list for its PBV units, or for PBV units in individual projects or buildings, or for sets of such units. The PHA may also adopt a different set of admissions preferences for each separate waiting list. A PHA that wishes to partner with a homeless service provider to project-base vouchers may consider creating a separate waiting list for this project and adopting a preference for people who are homeless. PHAs may also adopt a preference for services offered for families with disabilities that need services at a particular project. However, such a preference is limited to those individuals and families with disabilities that significantly interfere with their ability to obtain and maintain themselves in housing; who without appropriate supportive services, will not be able to obtain or maintain themselves in housing; and for whom such services cannot be provided in a non-segregated setting. See 24 CFR 983.251(d).

If a PHA opens a site-based waiting list for PBV units, all new applicants and families or individuals currently on the PHA's tenant-based waiting list must be provided with the option to have their names placed on this list as well. As described in Notice PIH 2011-54, *Guidance on the Project-Based Voucher Program*, PHAs do not have to notify each family on the tenant-based waiting list by individual notice. A PHA could notify these applicants by the same means it would use in opening its waiting list under 24 CFR 982.206(a), including advertising through local and minority newspapers and the internet, posting at local post offices, libraries, and community center, and outreach to social service organizations, such as homeless shelters.

Normally, PHAs may not provide project-based assistance to more than 25 percent of the number of units (assisted or unassisted) in a project. See 24 CFR 983.56(a). However, a PHA that makes units in a project available specifically to elderly or families with disabilities or families receiving supportive services ("excepted units") may exceed this 25 percent cap with these excepted units only. In these circumstances a PHA may place project-based vouchers in up to 100 percent of the units in the project.

For units that are excepted because they are made available to elderly or disabled families, the PHA may not require participation in any type of services as a condition of tenancy, although services may be offered. For units that are excepted because they are made available to families receiving supportive services, a PHA may not require participation in medical or disability-related services other than drug and alcohol treatment in the case of current abusers as a condition of living in an excepted unit; however, other supportive services as defined by the PHA, including Family Self-

Sufficiency (FSS) services, may be required as a condition of tenancy. The PHA Administrative Plan must describe the type of services offered to these families or individuals for a project to qualify for the exception to the 25 percent cap and the extent to which the services will be provided. See 24 CFR 983.56(b).

Note: PHAs are reminded that PBV projects with up to 100 percent of the units committed to people with disabilities continue to be allowed under federal statute at 42 U.S.C. 1437(f)(o)(13)(D)(ii) and the HUD regulations cited above. On the services side, policy direction related to health reform implementation, behavioral health care integration, and state *Olmstead* planning will shape how services are defined, delivered, and financed for different populations. HUD recommends that PHAs establish strong relationships with state and county Medicaid authorities and health services agencies to discuss how Medicaid services might work in different housing settings and for different population groups going forward.

For more details related to Project-based Vouchers, please see Notice PIH 2011-54, *Guidance on the Project Based Voucher Program*.

13. **Paperwork Reduction Act:** The information collection requirements contained in this document have been submitted to the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control number 2577-0083. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number.
14. **Information Contact:** Inquiries about this Notice should be directed to Ryan Jones at Ryan.E.Jones@hud.gov for Public Housing or Amaris.Rodriguez@hud.gov for Housing Choice Vouchers.

/s/
Sandra B. Henriquez, Assistant Secretary for
Public and Indian Housing

Links to Additional Information

King County, WA - Landlord Liaison Project: Step by Step Application Process and Forms. The Landlord Liaison Project (LLP) is a partnership among landlords, property managers, participating human services agencies and homeless people with barriers to accessing permanent housing. The goal of LLP is to offer homeless individuals and families who were previously denied by landlords help with accessing permanent housing, signing leases and moving into otherwise vacant units. Participating landlords agree to apply alternative screening criteria to applicants and in exchange receive rapid response to concerns, access to a 24-hour call-in line and risk reduction funds. Tenants are connected to ongoing case management from human service agencies for one year to ensure stability. <http://www.landlordliaisonproject.org/landlords.html>

Los Angeles, CA - Beyond Shelter/Home Start Inc: Rapid Rehousing for Homeless Populations: Program and Community Strategies for Recruiting Private-Market Landlords and Over-coming Housing Barriers. The strategies and tools outlined in the brief are intentionally diverse and range from those that can be implemented by single agencies serving homeless persons to those requiring community level commitment, resources, coordination, and/or policies to implement. As such, the brief is intended to speak to the challenges and opportunities of the broad array of actors and stakeholders responsible for addressing homelessness today. http://www.epath.org/files/PATHBeyondShelter/Brief_RehsingStrategiesFINAL.pdf

Los Angeles, CA - Beyond Shelter: Working with Landlords in Housing First/Rapid Rehousing. One of the training objectives of this PowerPoint presentation is to gain an understanding of the elements and mechanics of developing an effective marketing plan for landlord outreach and recruitment. <http://partnering-for-change.org/wp-content/uploads/2011/07/LandlordRecruitmentRetentionFINAL.pdf>

Michigan - Strategies for Working with Landlords – Tool kit. The sample materials included were provided by agencies within Michigan and the National Alliance to End Homelessness. These examples can assist your organization in facilitating landlord forums and in building relationships with landlords. These documents are only intended as guidance material, and can be adapted to best address quality improvement needs. <http://www.thecampaigntoendhomelessness.org/DesktopModules/CHET-Documents/uploads/91d79d0b-2ff9-4d36-9817-8529acb01337.PDF>

Department of Veteran Affairs: Homeless Veterans Landlord Page – How Landlords Can Help End Veteran Homelessness. Information on: HUD-VASH, Benefits for Landlords, 5 steps to Get Started, Housing Inspection Tips, and Other Ways to Serve Homeless Veterans. <http://www.va.gov/homeless/landlords.asp>

Department of Housing & Urban Development: HUD Resources for Veterans Experiencing Homelessness. This webpage provides resources for veterans looking for housing. This page lists the HUD homeless veteran programs and initiatives, as well as resources, publications, and relevant links to agencies and organizations. <https://www.hudexchange.info/homelessness-assistance/resources-for-homeless-veterans/>